

Jennifer A. Sparks, No. 017502
MAYNARD CRONIN ERICKSON
CURRAN & SPARKS, P.L.C.
3200 North Central Avenue, Ste. 1800
Phoenix, Arizona 85012
(602) 279-8500

Attorneys for Long Beach Securities Corporation, Long Beach
Mortgage Loan Trust 2006-6, Deutsche Bank
National Trust Company, N.A., WaMu Capital
Corporation, Pacific Gold Mortgage
Group, LLC, and California Reconveyance Company

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

CIBNEY R. BELLO,

Plaintiff,

v.

WASHINGTON MUTUAL BANK, FSA; LONG
BEACH MORTGAGE COMPANY; LONG
BEACH SECURITIES CORPORATION; LONG
BEACH MORTGAGE LOAN TRUST 2006-6;
DEUTSCHE BANK NATIONAL TRUST
COMPANY, N.A.; WAMU CAPITAL
CORPORATION; PACIFIC GOLD
MORTGAGE GROUP, LLC; CREDIT SUISSE
INTERNATIONAL; CALIFORNIA
RECONVEYANCE COMPANY; JOHN DOES
1-1000; JANE DOES 1-1000; ABC
CORPORATIONS I-XX; AND XYZ
PARTNERSHIPS I-XX,

Defendants.

No. _____

NOTICE OF REMOVAL

(From Maricopa County Superior
Court Case No. CV2009-003575)

Defendants Long Beach Securities Corporation, Long Beach Mortgage Loan Trust
2006-6, Deutsche Bank National Trust Company, N.A., WaMu Capital Corporation, Pacific
Gold Mortgage Group, LLC, and California Reconveyance Company (collectively, the
“Removing Defendants”) file this Notice of Removal to the United States District Court for
the District of Arizona and would show unto this Court as follows:

1 The Removing Defendants are defendants in a civil action filed by Plaintiff on February
2 9, 2009 in the Superior Court of Maricopa County, Arizona, Case No. CV2009-003575.
3 Plaintiff's complaint was delivered to at least some of the Removing Defendants on February
4 9, 2009. This Notice of Removal is thus filed in the United States District Court for the
5 District of Arizona within the time allowed by law for removal of civil actions. Undersigned
6 counsel verifies that the documents attached hereto as Exhibit "1" constitute all of the process
7 and pleadings served in this action to date. A copy of this Notice of Removal has been filed
8 with the Clerk of the Superior Court of Maricopa County, Arizona.

9 Plaintiffs' complaint seeks injunctive relief and damages against the Removing
10 Defendants and the other defendants regarding alleged wrongdoing with regard to the
11 Plaintiff's mortgage loan under the following theories: Home Ownership Equity Protection
12 Act, 15 U.S.C. § 1639 *et seq.*; Truth-in-Lending Act, 15 U.S.C. § 1601 *et seq.* and Regulation
13 Z; "Violation of the Arizona Assignment and Satisfaction of Mortgage Law;" violation of
14 various provisions of the Uniform Commercial Code; the Fair Debt Collection Practices Act
15 at 15 U.S.C. §§ 1692f and 1692d; "fraud, misrepresentation and conspiracy;" "conversion/civil
16 theft;" RICO at 18 U.S.C. § § 1961 *et seq.* and A.R.S. § 13-2314 *et seq.*; unjust enrichment;
17 intentional infliction of emotional distress; "slander on title;" quiet title; breach of fiduciary
18 duty; and violation of the Arizona Consumer Fraud Act at A.R.S. § 44-1521 *et seq.*

19 The state court action is a removable civil action under 28 U.S.C. § 1441. The
20 complaint asserts numerous claims that raise questions under federal law. Thus, this Court has
21 original jurisdiction over this action pursuant to 28 U.S.C. § 1331. The Court has jurisdiction
22 over Plaintiff's remaining state law claims under 28 U.S.C. § 1441(c). This action is
23 removable to this Court pursuant to 28 U.S.C. § 1441 because this action could have been
24 originally brought in this Court.

25 The only three defendants named, who are not part of the Removing Defendants, are
26 Long Beach Mortgage Company, Washington Mutual Bank, FSA, and Credit Suisse

1 International. Undersigned counsel's office has spoken with these defendants and confirmed
2 that they have not been served with this lawsuit.

3 A true copy of this Notice of Removal has been filed with the Clerk of the Superior
4 Court of Maricopa County, Arizona, as required by 28 U.S.C. § 1446(d).

5 RESPECTFULLY SUBMITTED this 10th day of March, 2009.

6 **MAYNARD CRONIN ERICKSON**
7 **CURRAN & SPARKS, P.L.C.**

8 By /s/Jennifer A. Sparks

9 Jennifer A. Sparks
3200 N. Central Ave., Ste. 1800
Phoenix, AZ 85012

10 Attorneys for Long Beach Securities
11 Corporation, Long Beach Mortgage Loan
12 Trust 2006-6, Deutsche Bank National
Trust Company, N.A., WaMu Capital
Corporation, Pacific Gold Mortgage
Group, LLC, and California Reconveyance
Company.

13 **ORIGINAL** of the foregoing filed this 10th day of March, 2009, with:

14 Clerk of the Court
15 United States District Court
401 W. Jefferson
Phoenix, AZ 85003

16 **COPY** of the foregoing hand-delivered this 10th day of March, 2009, to:

17 Clerk of the Court
18 Maricopa County Superior Court
201 W. Jefferson
19 Phoenix, Arizona 85003

20 **COPY** of the foregoing mailed this 10th day of March, 2009, to:

21 Robert R. Jung, Esq.
22 Law Offices of Robert R. Jung
21001 N. Tatum Blvd., Ste. 1630-725
Phoenix, AZ 85050

23
24 By /s/Stacey Tanner